

United States of America,
Respondent.

99-CR-75(RA)

v.
Roberto Beras,
Petitioner.

MOTION TO INTERVENE

The Honorable Ronnie Abrams should Intervene in this matter because Moshannon Valley Correctional Institution ("MVCC") and ICE acted illegally and in total disregard to this Court's order dated December 21, 2020, in the above referenced case.

On December 21, 2020, this Court granted my motion for Compassionate release, and reduced my sentence to the time already served. The order was stayed for 14 days to allow me to make an application to ICE regarding my detention.

Once I received the order I contacted my case manager at MVCC to find whether or not there was any internal process at MVCC which allow me to process my application to ICE. The case manager told me there was no process available.

The same day I wrote a letter to ICE requesting my detainee be removed, and according to the Court's Order. However, before receiving a response from ICE, on December 31, 2020, I was released by MVCC and transferred to a county jail facility by ICE.

Once in the County Jail, I spoke with ICE officials and explained my situation. They told me they will get back to me. I also wrote an email to ICE, and sent to them copy of the Court's Order. No answer has been received from ICE.

I believe MVCC and ICE acted illegally and in total disregard of the Court's Order, and are treating my application to remove the detainee with inattention.

The Court's order was not in effect when MVCC released ^{me} to ICE and ICE transferred me to a state prison.

ICE should have answered my petition within the 14 days specified in the court's order and before transferring me to an INS-sta prison.

Based on the Court's order ICE was under a legal obligation to stop their action until the 14 days period of time expired.

I am requesting for this Court to intervene and issue an order directing ICE to release me from the state prison to my family's home in New Jersey, to start my supervised release.

Respectfully Submitted,

Def:

Roberto Beras

#992772

Clinton County Correctional
Facility

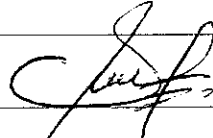
P.O. Box 419

McElhattan, PA 17148

Dated: January 14, 2021

Certificate of Service

I, Roberto Beras, hereby swear that on January 14, 2021, I served a copy of this motion to the opposing party.


Roberto Beras

01/14/2021

Roberto Baras #995772

Correctional Facility

17748-0419

HARRISBURG PA 171

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SDNY

INMATE MAIL
THIS CORRESPONDENCE IS FROM A
COUNTY CORRECTIONAL FACILITY
AND THE SENDER IS AN INMATE.
THE CONTENTS HAVE NOT BEEN
EVALUATED. CLINTON COUNTY
CORRECTIONAL FACILITY IS NOT
RESPONSIBLE FOR THE CONTENTS
OR FOR DEBTS INCURRED.

Clerk of the Court
U.S. District Court
Southern District of New York
500 Pearl Street
New York, N.Y. 10007

Crim. JR
DKT



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